

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, : Case No. 3:11CR133
Plaintiff, : Judge Thomas M. Rose
v. :
AMON SMITH, :
Defendant. :

FINAL ORDER OF FORFEITURE
OF DEFENDANT AMON SMITH'S ASSETS

WHEREAS, on July 12, 2012, this Court entered a Preliminary Order of Forfeiture, (Doc. 48) ordering the forfeiture pursuant to 21 U.S.C. § 853(a)(1) and (2), of the following property:

- a. All right, title and interests (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements to the Real Property known as 844 Groveland Ave., Dayton, Ohio 45408: Situated in the State of Ohio, County of Montgomery and in the City of Dayton and being Lot Numbered 40176 and 42567 of the consecutive numbers of lots on the Revised Plat of the said City of Dayton, Ohio. Parcel No. R72-09508-0018 and R72-09508-0019;
- b. Norinco MAC 90 Sporter 7.62 Caliber AK-47 Rifle, SN:94145476;
- c. Taurus M410 Revolver, SN:ZL443760;
- d. Beretta 9000S .40 Caliber Pistol, SN:SN017071;
- e. FEG AP-MEP Semi-Automatic Handgun, SN: BUZ616; and
- f. Smith & Wesson 642 Revolver, SN: CLV5789;

WHEREAS, the United States published notice of this forfeiture action and the intent of the United States to dispose of the property in accordance with law, and further notified all parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged interest in

the property, beginning on February 13, 2013 and continuing for at least thirty (30) consecutive days, on the www.forfeiture.gov website (Doc. 57); and

WHEREAS, the United States sent direct written notice of the Preliminary Order of Forfeiture to all persons who reasonably appeared to be a potential claimant with standing to contest the forfeiture of the property in an ancillary proceeding (Doc. 58); and

WHEREAS, no timely petition has been filed to the property listed above; and

WHEREAS, the Defendant was sentenced and a Judgment was entered on March 4, 2013 and that Judgment ordered the forfeiture of the above-referenced property; and

WHEREAS, the Court finds that defendant had an interest in the property; the United States has established the requisite nexus between the property and the offense; and the United States has established that the property is subject to forfeiture pursuant to 21 U.S.C. § 853(a)(1) and (2);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Preliminary Order of Forfeiture (Doc. 48) ordering the forfeiture pursuant to 21 U.S.C. § 853(a)(1) and (2) of the following property:

- a. All right, title and interests (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements to the Real Property known as 844 Groveland Ave., Dayton, Ohio 45408: Situated in the State of Ohio, County of Montgomery and in the City of Dayton and being Lot Numbered 40176 and 42567 of the consecutive numbers of lots on the Revised Plat of the said City of Dayton, Ohio. Parcel No. R72-09508-0018 and R72-09508-0019;
- b. Norinco MAC 90 Sporter 7.62 Caliber AK-47 Rifle, SN:94145476;
- c. Taurus M410 Revolver, SN:ZL443760;
- d. Beretta 9000S .40 Caliber Pistol, SN:SN017071;

- e. FEG AP-MEP Semi-Automatic Handgun, SN: BUZ616; and
- f. Smith & Wesson 642 Revolver, SN: CLV5789

is final; and

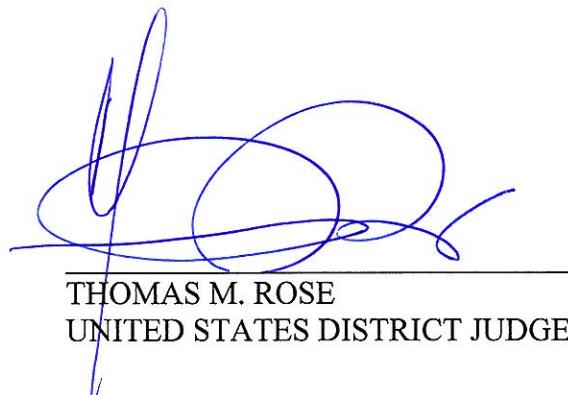
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America and the United States has clear title to the property described above; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custodian of the property is hereby authorized to dispose of the property in accordance with the law; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Final Order of Forfeiture.

SO ORDERED:

Dated: June 24, 2013



THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE